



NIRB File No.: 03MN107
NIRB File No.: 16MN056

November 6, 2018

Peter Unger
Senior Environmental Assessment Officer
Natural Resources Canada
588 Booth Street
Ottawa, ON K1A 0Y7

Sent via email: peter.unger@canada.ca

Re: The Nunavut Impact Review Board's 2017-18 Annual Monitoring Report for the Meadowbank Gold Project and the Whale Tail Pit Project with Board's Recommendations

Dear Peter Unger:

The Nunavut Impact Review Board (NIRB or Board) issued the enclosed *2017-18 Annual Monitoring Report for Agnico Eagle Mines Ltd.'s Meadowbank Gold Project* (NIRB File No. 03MN107) and the *Whale Tail Pit Project* (NIRB File No. 16MN056) [Monitoring Report] to Agnico Eagle Mines Ltd. (Agnico Eagle) under a separate cover earlier today. The Monitoring Report is based on the NIRB's monitoring activities as set out within the Meadowbank Gold Mine Project Certificate No. 004, Amendment 2 and the Whale Tail Pit Project Certificate No. 008, pursuant to Sections 12.7.1 and 12.7.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and pursuant to s. 135 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*).

This report provides findings that resulted from monitoring of the Meadowbank Gold Mine Project from October 2017 to September 2018 and the Whale Tail Pit Project from March 2018 to September 2018.

Based upon the Board's review of the monitoring report and other materials related to the Whale Tail Pit Project, the Board has issued recommendations in order to assist in achieving compliance with the Whale Tail Pit Project Certificate (No. 008). One (1) of the recommendations issued by the Board has been directed to Natural Resources Canada and will ensure the NIRB has all the information necessary to adequately discharge its mandate with respect to provisions within Section 12.7 of the *Nunavut Agreement* and s. 135 of the *NuPPAA* as they pertain to both the Meadowbank Gold Mine Project and the Whale Tail Pit Project.

RECOMMENDATIONS FOR THE WHALE TAIL PIT PROJECT

All materials pertaining to the NIRB's ongoing Monitoring program for the Whale Tail Pit Project can be accessed online from the NIRB's online public registry at www.nirb.ca/project/124683.

Outstanding Submissions and Updated Plans

As the Whale Tail Project Certificate is in its first year post-issuance, this first recommendation is being made to track reporting required through the first six (6) months of it being in place, which was September 2018. Some of the items have been updated by Agnico Eagle; however, due to the number of items still outstanding, a recommendation is being made to track the progress of development and submission for these documents. With respect to the Site-specific Permafrost Monitoring, Mapping and Thermal Analysis, the Board has noted the following:

Site-specific Permafrost Monitoring, Mapping and Thermal Analysis – Term and Condition 10

Term and Condition 10 of Project Certificate No. 008 requires the Proponent to consult with applicable regulatory agencies to undertake additional site-specific permafrost monitoring mapping and thermal analysis with the results of these studies provided to the NIRB at least 30 days prior to the start of construction of project infrastructure such as the Whale Tail pit, water management structures, mine site and haul roads, waste rock storage facilities, etc. During the 2018 site visit in August, construction of several of the above-mentioned infrastructures has commenced; however, the NIRB has not received any information from the Proponent on the results of the studies as requested. Agnico Eagle did provide a Thermal Monitoring Plan in May 2018 which summarized the current permafrost conditions based on data collected up to October 2017. Further, Agnico Eagle provided a copy of a presentation provided to Crown-Indigenous Relations and Northern Affairs Canada in July 2018 that covers the hydrogeological model (to meet Condition 6) but does not appear to provide the information related to additional site-specific permafrost monitoring mapping and thermal analysis to document permafrost conditions, including season thaw and amount of ground ice. In addition, the information as presented within the presentation does not inform the detailed design of project infrastructure as outlined above. As Natural Resources Canada was not consulted on this information and the results not provided to the NIRB, it appears that Agnico Eagle has not met the requirements of Condition 10.

Recommendation 3: The Board requests that Crown-Indigenous Relations and Northern Affairs Canada and Natural Resources Canada review the information provided by Agnico Eagle for Term and Condition 10 of Project Certificate No. 008 in relation to the additional site-specific permafrost monitoring mapping and thermal analysis studies and confirm whether the information is complete and that this condition has been satisfied.¹

The Board respectfully requests that Crown-Indigenous Relations and Northern Affairs Canada and Natural Resources Canada provide a response to this recommendation within *30 days* receipt of the Board's correspondence to both Crown-Indigenous Relations and Northern Affairs Canada and Natural Resources Canada.

¹ Note that the Board will be inviting Crown-Indigenous Relations and Northern Affairs Canada to comment on this matter under separate cover.

If you have any questions or require further clarification regarding these recommendations in particular or relating to the NIRB's monitoring programs for the Meadowbank Gold Mine Project or the Whale Tail Pit Project, please contact the undersigned directly at (867) 857-4829 or sgranchinho@nirb.ca.

Sincerely,



Sophia Granchinho, M.Sc., EP
Manager, Impact Assessment
Nunavut Impact Review Board

cc: Rob Johnstone, Natural Resources Canada
Marie-Pier Marcil, Agnico Eagle Mines Ltd.
Manon Turmel, Agnico Eagle Mines Ltd.
Robin Allard, Agnico Eagle Mines Ltd.
Martin Archambault, Agnico Eagle Mines Ltd.
Nancy Duquet Harvey, Agnico Eagle Mines Ltd.
Ryan Vanengen, Agnico Eagle Mines Ltd.
Jamie Quesnel, Agnico Eagle Mines Ltd.
Whale Tail Pit Distribution List

Enclosure (1): The Nunavut Impact Review Board's *2017-2018 Annual Monitoring Report for the Meadowbank Gold Project [03MN107] & Whale Tail Pit Project [16MN056]*